REMARKS

Claims 1-14 are currently pending in this application, as amended. Claims 1, 9-11, and 13-14 have been amended to more particularly point out and distinctly claim the invention. Support for the amendments to the claims can be found, for example, in the original claims, in the original Specification at page 5, lines 1-11 and at page 6, line 4-page 7, line 2, and in Figs. 1-3. Accordingly, no new matter has been added.

Entry of Amendment After Final

Applicants respectfully submit that (1) no new matter has been added to the application by the amendment; (2) the Amendment resolves all issues raised by the Examiner in the Office Action mailed January 8, 2007; (3) the subject matter of the Amendment has been included in the Examiner' s search and therefore does not require the Examiner to perform further searching; and (4) the Amendment places the application in condition for allowance and in better form for an appeal if needed. Consequently, Applicants respectfully request that the Amendment After Final Rejection be entered in accordance with 37 C.F.R. § 1.116 and MPEP § 714.13.

Telephone Interview

Applicant's undersigned attorney wishes to thank the Examiner for the courtesy of the telephone interview conducted on January 26, 2007, with the Applicant's undersigned attorney.

Applicant's attorney discussed a proposed clarifying amendment to independent claim 1 and how the proposed amendment distinguishes over U.S. Patent Application Publication No. 2003/0176213 ("LeMay") and U.S. Patent No. 5,743,799 ("Houriet"). Applicant's attorney also discussed his invention and the general differences between the cited prior art. Applicant has since revised claims 1, 9-11, and 13-14 in the present Amendment as set forth above, in accordance with the Examiner's comments during the interview. The Examiner agreed to give full consideration to a submitted Amendment, as well as conduct a more thorough review of the LeMay reference in light of the arguments presented.

Claim Rejections Under 35 U.S.C.§ 103(a)

Rejection of Claims 1-14

Claims 1-14 have been rejected under 35 U.S.C. § 103(a) as being unpatentable (obvious) over U.S. Patent Application Publication No. 2003/0176213 ("LeMay") in view of U.S. Patent No. 5,743,799 ("Houriet").

Applicants respectfully request that the rejection of claims 1-14 under 35 U.S.C. § 103(a) be withdrawn in view of the foregoing amendments and for at least the following reasons.

Independent claims 1, 10, and 14 and dependent claims 9, 11, and 13 have each been amended to clarify the invention in view of the references combined and used by the Examiner. For example, claim 1, as amended, recites *inter alia*:

> the second amusement device accessing and controlling the shared resource device through the first amusement device.

LeMay fails to disclose or suggest that a gaming machine accesses or controls a shared resource device through another gaming machine.

The gaming machine of LeMay is a casino style gaming machine, which is a highly regulated device. See paragraph [0004]. Traditionally, gaming devices refer to hardware components, such as coin hoppers, coin acceptors, bill validators, and reel assemblies. See paragraph [0041]. Examples of virtual gaming peripherals include but are not limited to virtual player tracking, a virtual Automated Teller Machine (ATM), a virtual entertainment center, a virtual lottery machine, a virtual change machine, a virtual sports book, a virtual communication center, a virtual concierge, a virtual vending machine, and a virtual kiosk. See paragraph [0056]. The gaming machine of LeMay enables one or more virtual gaming peripherals as well as game play processes to share the same gaming device rather than the gaming device being accessible to only one or the other. See paragraphs [0011], [0061]. LeMay suggests that gaming devices may be shared by two or more virtual gaming peripheral processes or a virtual gaming peripheral process and another gaming process executed on the gaming machine. See paragraph [0064].

The types of virtual gaming peripherals listed by LeMay suggest that the processes are confined to one gaming machine. For example, if a user on a gaming machine wished to access the virtual ATM, the virtual ATM peripheral would control the card reader and touch display of the user's gaming machine. The virtual ATM peripheral would have no reason to control another game machine's game devices to perform the service because a user would have to abandon his game machine to occupy another while the first game machine's controller processed the transaction. Similarly, it would be impractical to use two gaming machines to perform the function of a virtual vending machine or change machine. As another example, it would be inefficient to store player tracking information on a separate machine, rather than on a network server, where it would not occupy valuable gaming machine memory and would allow easier access to the user. LeMay therefore does *not* suggest using a gaming machine that must access and control a shared resource device through another gaming machine, just the sharing of a gaming device between several programs loaded on the gaming machine.

In contrast, the claims of the present application are directed to at least one amusement device, such as an amusement device which allows a user to select games from a video display, as is well known in the art, such as those disclosed in U.S. Patent Nos. 4,856,787 (Itkis); 5, 575, 717 (Houriet, Jr. et al.); 5,743,799 (Houriet, Jr. et al.), each of which shows a touchscreen display for making a game selection from a menu of games. A second amusement device is in communication with the first amusement device and accesses a shared resource device operatively connected to the first amusement device. As the clarifying amendment makes clearer, the second amusement device *cannot* access the shared resource device except by taking over the first amusement device. In contrast, LeMay discloses multiple gaming machines, each being linked to the same external devices. See Fig. 10.

To establish a *prima facie* case of obviousness, three criteria must be met. There must be a suggestion or motivation in the art to combine references, there must be a reasonable expectation of success, and the references when combined must teach or suggest all the claim limitations. M.P.E.P. § 2143.

LeMay, the primary reference, does not teach or suggest all the claim limitations as discussed above. Houriet fails to compensate for the deficiencies of LeMay. Houriet is directed

to a system for creating menu choices of video games on a display and for setting game credits and tallying a total currency amount fed into a machine. Houriet also fails to disclose a second gaming device accessing and controlling a shared gaming device through a first gaming device. Accordingly, Applicants respectfully request that the rejection of claims 1-14 under 35 U.S.C. § 103(a) be withdrawn.

CONCLUSION

In view of the foregoing Amendment and Remarks, it is respectfully submitted that the present application, including claims 1-14, as amended, is in condition for allowance and such action is respectfully requested.

Respectfully submitted,

Dean Hedin, *et al.*

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(Date)

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